



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,976	08/22/2003	Martin Lund	14218US02	1056
23446	7590	11/01/2006	EXAMINER	
MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			PAN, JOSEPH T	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/646,976

Applicant(s)

LUND, MARTIN

Examiner

Joseph Pan

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 7, 10-13, 18, 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ambe et al. (U.S. Pub. No. 2004/0032869 A1), hereinafter "Ambe".

Referring to claim 1:

Ambe teaches:

A method of providing physical port security in a digital communication system, comprising the steps of:

- a. receiving a frame of digital data at a network device (see figure 2, element 110 'receiving a packet' of Ambe),
- b. generating a destination port bit map based on the destination address information contained in said frame of digital data (see figure 2, element 130 'generating an ingress port bit map with respect to the packet received' of Ambe),
- c. comparing said destination port bit map with a physical port security bit map to generate a bit map of allowed destination ports (see figure 2, element 150 'comparing the ingress port bit map with at least one ingress port match entry'; and page 3, paragraph [0027] of Ambe),

d. forwarding said frame of digital data to one or more of said allowed destination ports (see figure 2, element 160 'implementing at least one action corresponding to the ingress port match entry'; and page 3, paragraph [0027] of Ambe).

Referring to claims 2, 13:

Ambe teaches the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). Ambe further discloses the logical AND (see page 3, paragraph [0030] of Ambe).

Referring to claims 7, 18:

Ambe teaches the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). Ambe further discloses the router (see page 1, paragraph [0004] of Ambe).

Referring to claim 10:

Ambe teaches the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). Ambe further discloses the process (see page 1, paragraph [0004] of Ambe).

Referring to claim 11:

Ambe teaches the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). Ambe further discloses that the bit map is generated dynamically (see figure 2, element 130 of Ambe).

Referring to claim 12:

Ambe teaches:

In an intermediate network device having a communications port for receiving digital data from a digital communications system and two or more physical data ports for forwarding said digital data, a system for providing physical port security in the digital communication system comprising:

a processor that generates a destination port bit map based on the destination address information contained in said received digital data, compares said destination port bit map with a physical port security bit map to generate a bit map of

allowed destination ports, and forwards said digital data to one or more of said allowed destination ports (see figure 2; and page 3, paragraph [0027] of Ambe).

Referring to claims 24:

Ambe teaches the claimed subject matter: an intermediate network device (see claim 12 above). Ambe further discloses the physical port security bit map (see figure 1, element 80 'port match entry' of Ambe).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-6, 8-9, 14-17, 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ambe et al. (U.S. Pub. No. 2004/0032869 A1) in view Philbrick et al. (U.S. Patent No. 7,076,568 B2), hereinafter "Philbrick".

Referring to claims 3-5, 14-16, 23:

i. Ambe teaches the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). However, Ambe does not specifically mention the source address and the destination address of a digital data frame.

ii. Philbrick discloses an interface device wherein Philbrick discloses the source address and the destination address of a packet (see column 21, lines 28-50 of Philbrick).

iii. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Philbrick into the method of Ambe to use the mention the source address and the destination address of a digital data frame.

iv. The ordinary skilled person would have been motivated to have applied the teaching of Philbrick into the system of Ambe to use the source address and the destination address of a digital data frame, because Ambe teaches a network device configured to receive or transmit a packet (see abstract of Ambe), and a packet contains the source and the destination addresses.

Referring to claims 6, 17, 22:

Ambe and Philbrick teach the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). They further disclose the IP address (see column 21, lines 28-50 of Philbrick).

Referring to claims 8, 19:

Ambe and Philbrick teach the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). They further disclose the network file server (see column 1, lines 66-67 of Philbrick).

Referring to claims 9, 20:

Ambe and Philbrick teach the claimed subject matter: a method of providing physical port security in a digital communication system, (see claim 1 above). They further disclose the local area network (see column 2, lines 13-19 of Philbrick).

Referring to claim 21:

Ambe and Philbrick teach the claimed subject matter: an intermediate network device (see claim 12 above). They further disclose the IP data (see column 21, lines 38-43 of Philbrick).

Conclusion

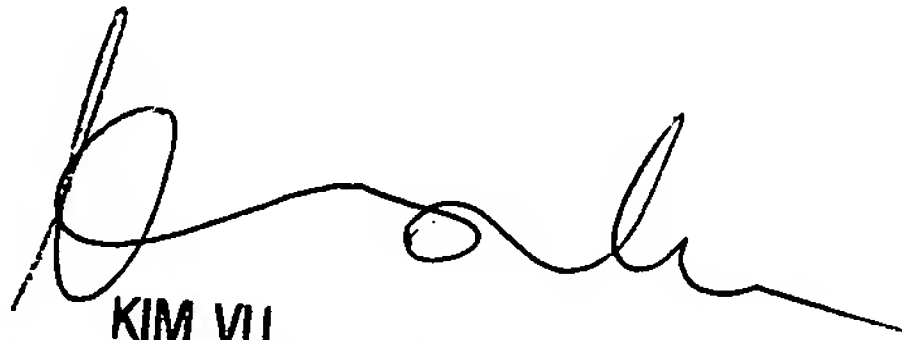
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Pan whose telephone number is 571-272-5987.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Joseph Pan
October 20, 2006


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100